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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2010-106

13 **GERALD SCOTT RASMUSSEN**
6312 Manchester Lane
14 Bakersfield, CA 93309
Registered Nursing License No. 495193

A C C U S A T I O N

15 Respondent.

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17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN, Interim Executive Officer (Complainant) brings this
19 Accusation solely in her official capacity as the Interim Executive Officer of the Board of
20 Registered Nursing, Department of Consumer Affairs.

21 2. On or about August 31, 1993, the Board of Registered Nursing (Board) issued
22 Registered Nursing License Number 495193 to Gerald Scott Rasmussen (Respondent). The
23 Registered Nursing License was in full force and effect at all times relevant to the charges
24 brought herein and will expire on February 28, 2011, unless renewed.

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1 **COST RECOVERY**

2 9. Section 125.3 provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **CAUSE FOR DISCIPLINE**

7 **(Conviction of a Substantially-Related Crime)**

8 10. Respondent is subject to disciplinary action under section 490, and section 2761,
9 subdivision (f), in conjunction with California Code of Regulations, title 16, section 1444,
10 because he was convicted of a crime that is substantially related to the qualifications, functions,
11 and duties of a Registered Nurse. On or about June 1, 2007, after pleading nolo contendere,
12 Respondent was convicted of one misdemeanor count of violating Penal Code section 415,
13 subdivision (3) [offensive conduct] in the criminal proceeding entitled *The People of the State of*
14 *California v. Gerald Rasmussen* (Super. Ct. Kern County, 2007, No. BM701554). Respondent
15 was placed on probation for three years and ordered to complete 250 hours of community service.
16 The underlying arrest occurred on or about October 19, 2006, after Respondent engaged in
17 offensive behavior in a park restroom with a consenting adult.

18 **PRAYER**

19 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
20 and that following the hearing, the Board issue a decision:

21 1. Revoking or suspending Registered Nursing License Number 495193, issued to
22 Respondent;

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1 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and
2 enforcement of this case, pursuant to section 125.3; and

3 3. Taking such other and further action as deemed necessary and proper.

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5 DATED: _____

8/28/09



LOUISE R. BAILEY, M.Ed., RN

Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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